

Subject: Re: Fw: Fwd: Seeking Your Assistance: Medical Marijuana Shops and Schools

From: Jane Usher <jane.usher@lacity.org>

Date: 09/12/2011 12:06 PM

To: Donald Duckworth <duckworth.donald@gmail.com>

CC: shawna@wishcharter.org, patlyon@netzero.com, Miki Payne <miki@hbdrollinger.com>, Geoff Maleman <gmaleman@aol.com>

Dear Donald --

Thanks for your email. For speed of enforcement, we are only relying in this effort on the state law that prohibits pot shops within 600 feet of schools, as defined below. Jane

11362.768. (a) This section shall apply to individuals specified in subdivision (b) of Section **11362.765**.

(b) No medical marijuana cooperative, collective, dispensary, operator, establishment, or provider who possesses, cultivates, or distributes medical marijuana pursuant to this article shall be located within a 600-foot radius of a school.

(c) The distance specified in this section shall be the horizontal distance measured in a straight line from the property line of the school to the closest property line of the lot on which the medical marijuana cooperative, collective, dispensary, operator, establishment, or provider is to be located without regard to intervening structures.

(d) This section shall not apply to a medical marijuana cooperative, collective, dispensary, operator, establishment, or provider that is also a licensed residential medical or elder care facility.

(e) This section shall apply only to a medical marijuana cooperative, collective, dispensary, operator, establishment, or provider that is authorized by law to possess, cultivate, or distribute medical marijuana and that has a storefront or mobile retail outlet which ordinarily requires a local business license.

(f) Nothing in this section shall prohibit a city, county, or city and county from adopting ordinances or policies that further restrict the location or establishment of a medical marijuana cooperative, collective, dispensary, operator, establishment, or provider.

(g) Nothing in this section shall preempt local ordinances, adopted prior to January 1, 2011, that regulate the location or establishment of a medical marijuana cooperative, collective, dispensary, operator, establishment, or provider.

(h) For the purposes of this section, "school" means any public or private school providing instruction in kindergarten or grades 1 to 12, inclusive, but does not include any private school in which education is primarily conducted in private homes.

On Mon, Sep 12, 2011 at 8:00 AM, Donald Duckworth <duckworth.donald@gmail.com> wrote:

As Executive Director of the Westchester Town Center BID, I will respond with respect to the Green Street Wellness Center located at 6218-D Manchester Avenue and agree to sign the declaration. Before doing so, I will personally go out and measure the distance today. Thanks for taking up this important task.

Unfortunately, I'm thinking that the WISH Charter School may be more than 600 ft away. We have 3 churches, a "youth center" (children's dance studio), and residential units closer and within 600 ft. Can you address these? Also, we understand State Law to "...not prevent a city or other local governing body from adopting and enforcing local ordinances that regulate the location, operation, or establishment of a medical marijuana cooperative or collective,..." Given that, can't we use the 1,000 ft distance? WISH Charter School will lie within 1,000 ft.

Thanks Jane.

----- Forwarded message -----

From: <patlyon@netzero.com>

Date: Sun, Sep 11, 2011 at 2:21 PM

Subject: Fw: Fwd: Seeking Your Assistance: Medical Marijuana Shops and Schools

To: kentwoodnw <kentwoodnw@aol.com>, "Joan E. Trimble"

<JTrimble@ctsclaw.com>, Don Duckworth <duckworth.donald@gmail.com>

Sent on the Sprint® Now Network from my BlackBerry®

From: Denny Schneider <denny@welivefree.com>

Date: Sat, 10 Sep 2011 14:17:59 -0700

To: Pat David Lyon<patlyon@netzero.com>

Subject: Fwd: Seeking Your Assistance: Medical Marijuana Shops and Schools

In case you have not seen this request from Jane Usher out of Trutanich's office... Denny

----- Forwarded message -----

From: <PEGGY8960@aol.com>

Date: Sat, Sep 10, 2011 at 12:13 PM

Subject: Fwd: Seeking Your Assistance: Medical Marijuana Shops and Schools

To: peggy8960@aol.com

In case you don't know, Jane Usher is a special assistant to City Attorney Carmen Trutanich. If you have

concerns about a dispensary near a school in your area, be sure to write her with the requested info.

Peggy Burgess
North Hills West Resident

From: jane.usher@lacity.org
To: jane.usher@lacity.org
Sent: 9/9/2011 1:45:31 P.M. Pacific Daylight Time
Subj: Seeking Your Assistance: MM Shops and Schools

Dear Civic Leaders --

Many of you have contacted our office within the last two weeks, as our schools have reopened. Your frustration is palpable. You are writing to obtain the closure of MM dispensaries that are located close to your schools.

Our courts have been SLOW to act in these matters. That said, I am hoping to engage the pot shops near schools (and the courts if need be) in an urgent discussion about moving away from our schools now.

But I need your help. Even if you have already written to us, please write again and include this information:

1. Name and Address of MM Dispensary
2. Name(s) and Address(es) of School(s)
3. Distance from MM Dispensary to School(s) (I need this distance to be 600 feet or less per State law, and not 1000 feet per City law)
4. The name of an adult who is willing to sign a declaration attesting to 1, 2, and 3

I hope you will share this email with other community leaders. We would like to receive all responses asap.

Many thanks. Jane

--
Jane Ellison Usher
Special Assistant City Attorney

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Denny Schneider [310 641-4199](tel:3106414199) voice [213 675-1817](tel:2136751817) mobile

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Jane Ellison Usher
Special Assistant City Attorney

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Re: Fw: Fwd: Seeking Your Assistance: Medical M...